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THE LUCK OF ROARING CAMP
THE OUTCASTS OF POKER FLAT
TENNESSEE'S PARTNER



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HENRY MORSE STEPHENS

THE LUCK OF ROARING CAMP

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THE LUCK OF ROARING CAMP

THERE was commotion in Roaring Camp. It could not have been a fight, for in 1850 that was not novel enough to have called together the entire settlement. The ditches and claims were not only deserted, but "Tuttle's grocery" had contributed its gamblers, who, it will be remembered, calmly continued their game the day that French Pete and Kanaka Joe shot each other to death over the bar in the front room. The whole camp was collected before a rude cabin on the outer edge of the clearing. Conversation was carried on in a low tone, but the name of a woman was frequently repeated. It was a name familiar enough in the camp,—“Cherokee Sal.”

Perhaps the less said of her the better. She was a coarse and, it is to be feared, a very sinful woman. But at that time she was the only woman in Roaring Camp, and was just then lying in sore extremity, when she most needed the ministrations of her own sex. Dissolute, abandoned, and irreclaimable, she was yet suffering a martyrdom hard enough to bear even when veiled by sympathizing womanhood, but now terrible in her loneliness. The primal curse had come to her in that original isolation which must have made the punishment of the first transgression so dreadful. It was, perhaps, part of the expiation of her sin that, at a moment when she most lacked her sex's intuitive tenderness and care, she met only the half-contemptuous faces of her masculine associates. Yet a few of the spectators were, I think, touched by her sufferings. Sandy Tipton thought it was "rough on Sal," and, in the contemplation of her condition, for a moment rose superior to the fact that he had an ace and two bowers in his sleeve.

It will be seen also that the situation was novel. Deaths were by no means uncommon

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in Roaring Camp, but a birth was a new thing. People had been dismissed the camp effectively, finally, and with no possibility of return; but this was the first time that anybody had been introduced *ab initio*. Hence the excitement.

“You go in there, Stumpy,” said a prominent citizen known as “Kentuck,” addressing one of the loungers. “Go in there, and see what you kin do. You’ve had experience in them things.”

Perhaps there was a fitness in the selection. Stumpy, in other climes, had been the putative head of two families; in fact, it was owing to some legal informality in these proceedings that Roaring Camp—a city of refuge—was indebted to his company. The crowd approved the choice, and Stumpy was wise enough to bow to the majority. The door closed on the extempore surgeon and midwife, and Roaring Camp sat down outside, smoked its pipe, and awaited the issue.

The assemblage numbered about a hundred men. One or two of these were actual fugitives from justice, some were criminal, and all were reckless. Physically they ex-

hibited no indication of their past lives and character. The greatest scamp had a Raphael face, with a profusion of blonde hair; Oakhurst, a gambler, had the melancholy air and intellectual abstraction of a Hamlet; the coolest and most courageous man was scarcely over five feet in height, with a soft voice and an embarrassed, timid manner. The term "roughs" applied to them was a distinction rather than a definition. Perhaps in the minor details of fingers, toes, ears, etc., the camp may have been deficient, but these slight omissions did not detract from their aggregate force. The strongest man had but three fingers on his right hand; the best shot had but one eye.

Such was the physical aspect of the men that were dispersed around the cabin. The camp lay in a triangular valley between two hills and a river. The only outlet was a steep trail over the summit of a hill that faced the cabin, now illuminated by the rising moon. The suffering woman might have seen it from the rude bunk whereon she lay,—seen it winding like a silver thread until it was lost in the stars above.

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A fire of withered pine boughs added sociability to the gathering. By degrees the natural levity of Roaring Camp returned. Bets were freely offered and taken regarding the result. Three to five that "Sal would get through with it"; even that the child would survive; side bets as to the sex and complexion of the coming stranger. In the midst of an excited discussion an exclamation came from those nearest the door, and the camp stopped to listen. Above the swaying and moaning of the pines, the swift rush of the river, and the crackling of the fire rose a sharp, querulous cry,—a cry unlike anything heard before in the camp. The pines stopped moaning, the river ceased to rush, and the fire to crackle. It seemed as if Nature had stopped to listen too.

The camp rose to its feet as one man! It was proposed to explode a barrel of gunpowder; but in consideration of the situation of the mother, better counsels prevailed, and only a few revolvers were discharged; for whether owing to the rude surgery of the camp, or some other reason, Cherokee Sal was sinking fast. Within an hour she had

climbed, as it were, that rugged road that led to the stars, and so passed out of Roaring Camp, its sin and shame, forever. I do not think that the announcement disturbed them much, except in speculation as to the fate of the child. "Can he live now?" was asked of Stumpy. The answer was doubtful. The only other being of Cherokee Sal's sex and maternal condition in the settlement was an ass. There was some conjecture as to fitness, but the experiment was tried. It was less problematical than the ancient treatment of Romulus and Remus, and apparently as successful.

When these details were completed, which exhausted another hour, the door was opened, and the anxious crowd of men, who had already formed themselves into a queue, entered in single file. Beside the low bunk or shelf, on which the figure of the mother was starkly outlined below the blankets, stood a pine table. On this a candle-box was placed, and within it, swathed in staring red flannel, lay the last arrival at Roaring Camp. Beside the candle-box was placed a hat. Its use was soon indicated. "Gentlemen," said Stumpy, with a singular mixture of authority and *ex*

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officio complacency,—“Gentlemen will please pass in at the front door, round the table, and out at the back door. Them as wishes to contribute anything toward the orphan will find a hat handy.” The first man entered with his hat on; he uncovered, however, as he looked about him, and so unconsciously set an example to the next. In such communities good and bad actions are catching. As the procession filed in comments were audible,—criticisms addressed perhaps rather to Stumpy in the character of showman: “Is that him?” “Mighty small specimen;” “Hasn’t more’n got the color;” “Ain’t bigger nor a derringer.” The contributions were as characteristic: a silver tobacco box; a doubloon; a navy revolver, silver mounted; a gold specimen; a very beautifully embroidered lady’s handkerchief (from Oakhurst the gambler); a diamond breastpin; a diamond ring (suggested by the pin, with the remark from the giver that he “saw that pin and went two diamonds better”); a slung-shot; a Bible (contributor not detected); a golden spur; a silver teaspoon (the initials, I regret to say, were not the giver’s); a pair of surgeon’s

shears; a lancet; a Bank of England note for £5; and about \$200 in loose gold and silver coin. During these proceedings Stumpy maintained a silence as impassive as the dead on his left, a gravity as inscrutable as that of the newly born on his right. Only one incident occurred to break the monotony of the curious procession. As Kentuck bent over the candle-box half curiously, the child turned, and, in a spasm of pain, caught at his groping finger, and held it fast for a moment. Kentuck looked foolish and embarrassed. Something like a blush tried to assert itself in his weather-beaten cheek. "The d—d little cuss!" he said, as he extricated his finger, with perhaps more tenderness and care than he might have been deemed capable of showing. He held that finger a little apart from its fellows as he went out, and examined it curiously. The examination provoked the same original remark in regard to the child. In fact, he seemed to enjoy repeating it. "He rasted with my finger," he remarked to Tip-ton, holding up the member, "the d—d little cuss!"

It was four o'clock before the camp sought

repose. A light burnt in the cabin where the watchers sat, for Stumpy did not go to bed that night. Nor did Kentuck. He drank quite freely, and related with great gusto his experience, invariably ending with his characteristic condemnation of the newcomer. It seemed to relieve him of any unjust implication of sentiment, and Kentuck had the weaknesses of the nobler sex. When everybody else had gone to bed, he walked down to the river and whistled reflectingly. Then he walked up the gulch past the cabin, still whistling with demonstrative unconcern. At a large redwood-tree he paused and retraced his steps, and again passed the cabin. Half-way down to the river's bank he again paused, and then returned and knocked at the door. It was opened by Stumpy. "How goes it?" said Kentuck, looking past Stumpy toward the candle-box. "All serene!" replied Stumpy. "Anything up?" "Nothing." There was a pause—an embarrassing one—Stumpy still holding the door. Then Kentuck had recourse to his finger, which he held up to Stumpy. "Rastled with it,—the d—d little cuss," he said, and retired.

The next day Cherokee Sal had such rude sepulture as Roaring Camp afforded. After her body had been committed to the hillside, there was a formal meeting of the camp to discuss what should be done with her infant. A resolution to adopt it was unanimous and enthusiastic. But an animated discussion in regard to the manner and feasibility of providing for its wants at once sprang up. It was remarkable that the argument partook of none of those fierce personalities with which discussions were usually conducted at Roaring Camp. Tipton proposed that they should send the child to Red Dog,—a distance of forty miles,—where female attention could be procured. But the unlucky suggestion met with fierce and unanimous opposition. It was evident that no plan which entailed parting from their new acquisition would for a moment be entertained. “Besides,” said Tom Ryder, “them fellows at Red Dog would swap it, and ring in somebody else on us.” A disbelief in the honesty of other camps prevailed at Roaring Camp, as in other places.

The introduction of a female nurse in the camp also met with objection. It was argued

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that no decent woman could be prevailed to accept Roaring Camp as her home, and the speaker urged that "they didn't want any more of the other kind." This unkind allusion to the defunct mother, harsh as it may seem, was the first spasm of propriety,—the first symptom of the camp's regeneration. Stumpy advanced nothing. Perhaps he felt a certain delicacy in interfering with the selection of a possible successor in office. But when questioned, he averred stoutly that he and "Jinny"—the mammal before alluded to—could manage to rear the child. There was something original, independent, and heroic about the plan that pleased the camp. Stumpy was retained. Certain articles were sent for to Sacramento. "Mind," said the treasurer, as he pressed a bag of gold-dust into the expressman's hand, "the best that can be got,—lace, you know, and filigree-work and frills,—d—n the cost!"

Strange to say, the child thrived. Perhaps the invigorating climate of the mountain camp was compensation for material deficiencies. Nature took the foundling to her broader breast. In that rare atmosphere of

the Sierra foot-hills,—that air pungent with balsamic odor, that ethereal cordial at once bracing and exhilarating,—he may have found food and nourishment, or a subtle chemistry that transmuted ass's milk to lime and phosphorus. Stumpy inclined to the belief that it was the latter and good nursing. "Me and that ass," he would say, "has been father and mother to him! Don't you," he would add, apostrophizing the helpless bundle before him, "never go back on us."

By the time he was a month old the necessity of giving him a name became apparent. He had generally been known as "The Kid," "Stumpy's Boy," "The Coyote" (an allusion to his vocal powers), and even by Kentuck's endearing diminutive of "The d—d little cuss." But these were felt to be vague and unsatisfactory, and were at last dismissed under another influence. Gamblers and adventurers are generally superstitious, and Oakhurst one day declared that the baby had brought "the luck" to Roaring Camp. It was certain that of late they had been successful. "Luck" was the name agreed upon, with the prefix of Tommy for greater conve-

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nience. No allusion was made to the mother, and the father was unknown. "It's better," said the philosophical Oakhurst, "to take a fresh deal all round. Call him Luck, and start him fair." A day was accordingly set apart for the christening. What was meant by this ceremony the reader may imagine who has already gathered some idea of the reckless irreverence of Roaring Camp. The master of ceremonies was one "Boston," a noted wag, and the occasion seemed to promise the greatest facetiousness. This ingenious satirist had spent two days in preparing a burlesque of the Church service, with pointed local allusions. The choir was properly trained, and Sandy Tipton was to stand godfather. But after the procession had marched to the grove with music and banners, and the child had been deposited before a mock altar, Stumpy stepped before the expectant crowd. "It ain't my style to spoil fun, boys," said the little man, stoutly eying the faces around him, "but it strikes me that this thing ain't exactly on the squar. It's playing it pretty low down on this yer baby to ring in fun on him that he ain't goin' to understand. And ef there's

goin' to be any godfathers round, I'd like to see who's got any better rights than me." A silence followed Stumpy's speech. To the credit of all humorists be it said that the first man to acknowledge its justice was the satirist thus stopped of his fun. "But," said Stumpy, quickly following up his advantage, "we're here for a christening, and we'll have it. I proclaim you Thomas Luck, according to the laws of the United States and the State of California, so help me God." It was the first time that the name of the Deity had been otherwise uttered than profanely in the camp. The form of christening was perhaps even more ludicrous than the satirist had conceived; but strangely enough, nobody saw it and nobody laughed. "Tommy" was christened as seriously as he would have been under a Christian roof, and cried and was comforted in as orthodox fashion.

And so the work of regeneration began in Roaring Camp. Almost imperceptibly a change came over the settlement. The cabin assigned to "Tommy Luck"—or "The Luck," as he was more frequently called—first showed signs of improvement. It was

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kept scrupulously clean and whitewashed. Then it was boarded, clothed, and papered. The rosewood cradle, packed eighty miles by mule, had, in Stumpy's way of putting it, "sorter killed the rest of the furniture." So the rehabilitation of the cabin became a necessity. The men who were in the habit of lounging in at Stumpy's to see "how 'The Luck' got on" seemed to appreciate the change, and in self-defense, the rival establishment of "Tuttle's grocery" bestirred itself and imported a carpet and mirrors. The reflections of the latter on the appearance of Roaring Camp tended to produce stricter habits of personal cleanliness. Again Stumpy imposed a kind of quarantine upon those who aspired to the honor and privilege of holding The Luck. It was a cruel mortification to Kentuck—who, in the carelessness of a large nature and the habits of frontier life, had begun to regard all garments as a second cuticle, which, like a snake's, only sloughed off through decay—to be debarred this privilege from certain prudential reasons. Yet such was the subtle influence of innovation that he thereafter appeared regularly

every afternoon in a clean shirt and face still shining from his ablutions. Nor were moral and social sanitary laws neglected. "Tommy," who was supposed to spend his whole existence in a persistent attempt to repose, must not be disturbed by noise. The shouting and yelling, which had gained the camp its infelicitous title, were not permitted within hearing distance of Stumpy's. The men conversed in whispers or smoked with Indian gravity. Profanity was tacitly given up in these sacred precincts, and throughout the camp a popular form of expletive, known as "D—n the luck!" and "Curse the luck!" was abandoned, as having a new personal bearing. Vocal music was not interdicted, being supposed to have a soothing, tranquilizing quality; and one song, sung by "Man-o'-War Jack," an English sailor from her Majesty's Australian colonies, was quite popular as a lullaby. It was a lugubrious recital of the exploits of "the Arethusa, Seventy-four," in a muffled minor, ending with a prolonged dying fall at the burden of each verse, "On b-oo-o-ard of the Arethusa." It was a fine sight to see Jack holding The

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Luck, rocking from side to side as if with the motion of a ship, and crooning forth this naval ditty. Either through the peculiar rocking of Jack or the length of his song,—it contained ninety stanzas, and was continued with conscientious deliberation to the bitter end,—the lullaby generally had the desired effect. At such times the men would lie at full length under the trees in the soft summer twilight, smoking their pipes and drinking in the melodious utterances. An indistinct idea that this was pastoral happiness pervaded the camp. “This ’ere kind o’ think,” said the Cockney Simmons, meditatively reclining on his elbow, “is ’evingly.” It reminded him of Greenwich.

On the long summer days The Luck was usually carried to the gulch from whence the golden store of Roaring Camp was taken. There, on a blanket spread over pine boughs, he would lie while the men were working in the ditches below. Latterly there was a rude attempt to decorate this bower with flowers and sweet-smelling shrubs, and generally some one would bring him a cluster of wild honeysuckles, azaleas, or the painted

blossoms of Las Mariposas. The men had suddenly awakened to the fact that there were beauty and significance in these trifles, which they had so long trodden carelessly beneath their feet. A flake of glittering mica, a fragment of variegated quartz, a bright pebble from the bed of the creek, became beautiful to eyes thus cleared and strengthened, and were invariably put aside for The Luck. It was wonderful how many treasures the woods and hillsides yielded that "would do for Tommy." Surrounded by playthings such as never child out of fairyland had before, it is to be hoped that Tommy was content. He appeared to be serenely happy, albeit there was an infantine gravity about him, a contemplative light in his round gray eyes, that sometimes worried Stumpy. He was always tractable and quiet, and it is recorded that once, having crept beyond his "corral,"—a hedge of tessellated pine boughs, which surrounded his bed,—he dropped over the bank on his head in the soft earth, and remained with his mottled legs in the air in that position for at least five minutes with unflinching gravity. He was extricated with-

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out a murmur. I hesitate to record the many other instances of his sagacity, which rest, unfortunately, upon the statements of prejudiced friends. Some of them were not without a tinge of superstition. "I crep' up the bank just now," said Kentuck one day, in a breathless state of excitement, "and dern my skin if he wasn't a-talking to a jaybird as was a-sittin' on his lap. There they was, just as free and sociable as anything you please, a-jawin' at each other just like two cherry-bums." Howbeit, whether creeping over the pine boughs or lying lazily on his back blinking at the leaves above him, to him the birds sang, the squirrels chattered, and the flowers bloomed. Nature was his nurse and playfellow. For him she would let slip between the leaves golden shafts of sunlight that fell just within his grasp; she would send wandering breezes to visit him with the balm of bay and resinous gum; to him the tall redwoods nodded familiarly and sleepily, the bumble bees buzzed, and the rooks cawed a slumbrous accompaniment.

Such was the golden summer of Roaring Camp. They were "flush times," and the

luck was with them. The claims had yielded enormously. The camp was jealous of its privileges and looked suspiciously on strangers. No encouragement was given to immigration, and, to make their seclusion more perfect, the land on either side of the mountain wall that surrounded the camp they duly preëmpted. This, and a reputation for singular proficiency with the revolver, kept the reserve of Roaring Camp inviolate. The expressman—their only connecting link with the surrounding world—sometimes told wonderful stories of the camp. He would say, “They’ve a street up there in ‘Roaring’ that would lay over any street in Red Dog. They’ve got vines and flowers round their houses, and they wash themselves twice a day. But they’re mighty rough on strangers, and they worship an Ingin baby.”

With the prosperity of the camp came a desire for further improvement. It was proposed to build a hotel in the following spring, and to invite one or two decent families to reside there for the sake of The Luck, who might perhaps profit by female companionship. The sacrifice that this concession to the

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sex cost these men, who were fiercely skeptical in regard to its general virtue and usefulness, can only be accounted for by their affection for Tommy. A few still held out. But the resolve could not be carried into effect for three months, and the minority meekly yielded in the hope that something might turn up to prevent it. And it did.

The winter of 1851 will long be remembered in the foot-hills. The snow lay deep on the Sierras, and every mountain creek became a river, and every river a lake. Each gorge and gulch was transformed into a tumultuous water-course that descended the hillsides, tearing down giant trees and scattering its drift and débris along the plain. Red Dog had been twice under water, and Roaring Camp had been forewarned. "Water put the gold into them gulches," said Stumpy. "It's been here once and will be here again!" And that night the North Fork suddenly leaped over its banks and swept up the triangular valley of Roaring Camp.

In the confusion of rushing water, crashing trees, and crackling timber, and the darkness which seemed to flow with the water

and blot out the fair valley, but little could be done to collect the scattered camp. When the morning broke, the cabin of Stumpy, nearest the river-bank, was gone. Higher up the gulch they found the body of its unlucky owner; but the pride, the hope, the joy, The Luck, of Roaring Camp had disappeared. They were returning with sad hearts when a shout from the bank recalled them.

It was a relief-boat from down the river. They had picked up, they said, a man and an infant, nearly exhausted, about two miles below. Did anybody know them, and did they belong here?

It needed but a glance to show them Kentuck lying there, cruelly crushed and bruised, but still holding The Luck of Roaring Camp in his arms. As they bent over the strangely assorted pair, they saw that the child was cold and pulseless. "He is dead," said one. Kentuck opened his eyes. "Dead?" he repeated feebly. "Yes, my man, and you are dying too." A smile lit the eyes of the expiring Kentuck. "Dying!" he repeated; "he's a-taking me with him. Tell the boys I've got The Luck with me now;" and the strong

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man, clinging to the frail babe as a drowning man is said to cling to a straw, drifted away into the shadowy river that flows forever to the unknown sea.

THE OUTCASTS OF POKER FLAT



THE OUTCASTS OF POKER FLAT

As Mr. John Oakhurst, gambler, stepped into the main street of Poker Flat on the morning of the 23d of November, 1850, he was conscious of a change in its moral atmosphere since the preceding night. Two or three men, conversing earnestly together, ceased as he approached, and exchanged significant glances. There was a Sabbath lull in the air, which, in a settlement unused to Sabbath influences, looked ominous.

Mr. Oakhurst's calm, handsome face betrayed small concern in these indications. Whether he was conscious of any predisposing cause was another question. "I reckon they're after somebody," he reflected; "likely

it's me." He returned to his pocket the handkerchief with which he had been whipping away the red dust of Poker Flat from his neat boots, and quietly discharged his mind of any further conjecture.

In point of fact, Poker Flat was "after somebody." It had lately suffered the loss of several thousand dollars, two valuable horses, and a prominent citizen. It was experiencing a spasm of virtuous reaction, quite as lawless and ungovernable as any of the acts that had provoked it. A secret committee had determined to rid the town of all improper persons. This was done permanently in regard of two men who were then hanging from the boughs of a sycamore in the gulch, and temporarily in the banishment of certain other objectionable characters. I regret to say that some of these were ladies. It is but due to the sex, however, to state that their impropriety was professional, and it was only in such easily established standards of evil that Poker Flat ventured to sit in judgment.

Mr. Oakhurst was right in supposing that he was included in this category. A few of the committee had urged hanging him as a

possible example, and a sure method of reimbursing themselves from his pockets of the sums he had won from them. "It's agin justice," said Jim Wheeler, "to let this yer young man from Roaring Camp—an entire stranger—carry away our money." But a crude sentiment of equity residing in the breasts of those who had been fortunate enough to win from Mr. Oakhurst overruled this narrower local prejudice.

Mr. Oakhurst received his sentence with philosophic calmness, none the less coolly that he was aware of the hesitation of his judges. He was too much of a gambler not to accept fate. With him life was at best an uncertain game, and he recognized the usual percentage in favor of the dealer.

A body of armed men accompanied the deported wickedness of Poker Flat to the outskirts of the settlement. Besides Mr. Oakhurst, who was known to be a coolly desperate man, and for whose intimidation the armed escort was intended, the expatriated party consisted of a young woman familiarly known as "The Duchess"; another who had won the title of "Mother Shipton"; and

“Uncle Billy,” a suspected sluice-robber and confirmed drunkard. The cavalcade provoked no comments from the spectators, nor was any word uttered by the escort. Only when the gulch which marked the uttermost limit of Poker Flat was reached, the leader spoke briefly and to the point. The exiles were forbidden to return at the peril of their lives.

As the escort disappeared, their pent-up feelings found vent in a few hysterical tears from the Duchess, some bad language from Mother Shipton, and a Parthian volley of expletives from Uncle Billy. The philosophic Oakhurst alone remained silent. He listened calmly to Mother Shipton’s desire to cut somebody’s heart out, to the repeated statements of the Duchess that she would die in the road, and to the alarming oaths that seemed to be bumped out of Uncle Billy as he rode forward. With the easy good humor characteristic of his class, he insisted upon exchanging his own riding-horse, “Five-Spot,” for the sorry mule which the Duchess rode. But even this act did not draw the party into any closer sympathy. The young woman

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readjusted her somewhat draggled plumes with a feeble, faded coquetry; Mother Shipton eyed the possessor of "Five-Spot" with malevolence, and Uncle Billy included the whole party in one sweeping anathema.

The road to Sandy Bar—a camp that, not having as yet experienced the regenerating influences of Poker Flat, consequently seemed to offer some invitation to the emigrants—lay over a steep mountain range. It was distant a day's severe travel. In that advanced season, the party soon passed out of the moist, temperate regions of the foot-hills into the dry, cold, bracing air of the Sierras. The trail was narrow and difficult. At noon the Duchess, rolling out of her saddle upon the ground, declared her intention of going no farther, and the party halted.

The spot was singularly wild and impressive. A wooded amphitheatre, surrounded on three sides by precipitous cliffs of naked granite, sloped gently toward the crest of another precipice that overlooked the valley. It was, undoubtedly, the most suitable spot for a camp, had camping been advisable. But Mr. Oakhurst knew that scarcely half the

journey to Sandy Bar was accomplished, and the party were not equipped or provisioned for delay. This fact he pointed out to his companions curtly, with a philosophic commentary on the folly of "throwing up their hand before the game was played out." But they were furnished with liquor, which in this emergency stood them in place of food, fuel, rest, and prescience. In spite of his remonstrances, it was not long before they were more or less under its influence. Uncle Billy passed rapidly from a bellicose state into one of stupor, the Duchess became maudlin, and Mother Shipton snored. Mr. Oakhurst alone remained erect, leaning against a rock, calmly surveying them.

Mr. Oakhurst did not drink. It interfered with a profession which required coolness, impassiveness, and presence of mind, and, in his own language, he "couldn't afford it." As he gazed at his recumbent fellow exiles, the loneliness begotten of his pariah trade, his habits of life, his very vices, for the first time seriously oppressed him. He bestirred himself in dusting his black clothes, washing his hands and face, and other acts characteristic

of his studiously neat habits, and for a moment forgot his annoyance. The thought of deserting his weaker and more pitiable companions never perhaps occurred to him. Yet he could not help feeling the want of that excitement which, singularly enough, was most conducive to that calm equanimity for which he was notorious. He looked at the gloomy walls that rose a thousand feet sheer above the circling pines around him, at the sky ominously clouded, at the valley below, already deepening into shadow; and, doing so, suddenly he heard his own name called.

A horseman slowly ascended the trail. In the fresh, open face of the newcomer Mr. Oakhurst recognized Tom Simson, otherwise known as "The Innocent," of Sandy Bar. He had met him some months before over a "little game," and had, with perfect equanimity, won the entire fortune—amounting to some forty dollars—of that guileless youth. After the game was finished, Mr. Oakhurst drew the youthful speculator behind the door and thus addressed him: "Tommy, you're a good little man, but you can't gamble worth a cent. Don't try it over again." He then

handed him his money back, pushed him gently from the room, and so made a devoted slave of Tom Simson.

There was a remembrance of this in his boyish and enthusiastic greeting of Mr. Oakhurst. He had started, he said, to go to Poker Flat to seek his fortune. "Alone?" No, not exactly alone; in fact (a giggle), he had run away with Piney Woods. Did n't Mr. Oakhurst remember Piney? She that used to wait on the table at the Temperance House? They had been engaged a long time, but old Jake Woods had objected, and so they had run away, and were going to Poker Flat to be married, and here they were. And they were tired out, and how lucky it was they had found a place to camp, and company. All this the Innocent delivered rapidly, while Piney, a stout, comely damsel of fifteen, emerged from behind the pine-tree, where she had been blushing unseen, and rode to the side of her lover.

Mr. Oakhurst seldom troubled himself with sentiment, still less with propriety; but he had a vague idea that the situation was not fortunate. He retained, however, his presence

of mind sufficiently to kick Uncle Billy, who was about to say something, and Uncle Billy was sober enough to recognize in Mr. Oakhurst's kick a superior power that would not bear trifling. He then endeavored to dissuade Tom Simson from delaying further, but in vain. He even pointed out the fact that there was no provision, nor means of making a camp. But, unluckily, the Innocent met this objection by assuring the party that he was provided with an extra mule loaded with provisions, and by the discovery of a rude attempt at a log house near the trail. "Piney can stay with Mrs. Oakhurst," said the Innocent, pointing to the Duchess, "and I can shift for myself."

Nothing but Mr. Oakhurst's admonishing foot saved Uncle Billy from bursting into a roar of laughter. As it was, he felt compelled to retire up the cañon until he could recover his gravity. There he confided the joke to the tall pine-trees, with many slaps of his leg, contortions of his face, and the usual profanity. But when he returned to the party, he found them seated by a fire—for the air had grown strangely chill and the sky overcast—

in apparently amicable conversation. Piney was actually talking in an impulsive girlish fashion to the Duchess, who was listening with an interest and animation she had not shown for many days. The Innocent was holding forth, apparently with equal effect, to Mr. Oakhurst and Mother Shipton, who was actually relaxing into amiability. "Is this yer a d—d picnic?" said Uncle Billy, with inward scorn, as he surveyed the sylvan group, the glancing firelight, and the tethered animals in the foreground. Suddenly an idea mingled with the alcoholic fumes that disturbed his brain. It was apparently of a jocular nature, for he felt impelled to slap his leg again and cram his fist into his mouth.

As the shadows crept slowly up the mountain, a slight breeze rocked the tops of the pine-trees and moaned through their long and gloomy aisles. The ruined cabin, patched and covered with pine boughs, was set apart for the ladies. As the lovers parted, they unaffectedly exchanged a kiss, so honest and sincere that it might have been heard above the swaying pines. The frail Duchess and the malevolent Mother Shipton were probably

too stunned to remark upon this last evidence of simplicity, and so turned without a word to the hut. The fire was replenished, the men lay down before the door, and in a few minutes were asleep.

Mr. Oakhurst was a light sleeper. Toward morning he awoke benumbed and cold. As he stirred the dying fire, the wind, which was now blowing strongly, brought to his cheek that which caused the blood to leave it,—snow!

He started to his feet with the intention of awakening the sleepers, for there was no time to lose. But turning to where Uncle Billy had been lying, he found him gone. A suspicion leaped to his brain, and a curse to his lips. He ran to the spot where the mules had been tethered—they were no longer there. The tracks were already rapidly disappearing in the snow.

The momentary excitement brought Mr. Oakhurst back to the fire with his usual calm. He did not waken the sleepers. The Innocent slumbered peacefully, with a smile on his good-humored, freckled face; the virgin Piney slept beside her frailer sisters as sweetly

as though attended by celestial guardians; and Mr. Oakhurst, drawing his blanket over his shoulders, stroked his mustaches and waited for the dawn. It came slowly in a whirling mist of snowflakes that dazzled and confused the eye. What could be seen of the landscape appeared magically changed. He looked over the valley, and summed up the present and future in two words, "Snowed in!"

A careful inventory of the provisions, which, fortunately for the party, had been stored within the hut, and so escaped the felonious fingers of Uncle Billy, disclosed the fact that with care and prudence they might last ten days longer. "That is," said Mr. Oakhurst *sotto voce* to the Innocent, "if you're willing to board us. If you ain't—and perhaps you'd better not—you can wait till Uncle Billy gets back with provisions." For some occult reason, Mr. Oakhurst could not bring himself to disclose Uncle Billy's rascality, and so offered the hypothesis that he had wandered from the camp and had accidentally stampeded the animals. He dropped a warning to the Duchess and Mother Shipton, who of course knew the facts of their

associate's defection. "They'll find out the truth about us *all* when they find out anything," he added significantly, "and there's no good frightening them now."

Tom Simson not only put all his worldly store at the disposal of Mr. Oakhurst, but seemed to enjoy the prospect of their enforced seclusion. "We'll have a good camp for a week, and then the snow'll melt, and we'll all go back together." The cheerful gayety of the young man and Mr. Oakhurst's calm infected the others. The Innocent, with the aid of pine boughs, extemporized a thatch for the roofless cabin, and the Duchess directed Piney in the rearrangement of the interior with a taste and tact that opened the blue eyes of that provincial maiden to their fullest extent. "I reckon now you're used to fine things at Poker Flat," said Piney. The Duchess turned away sharply to conceal something that reddened her cheeks through their professional tint, and Mother Shipton requested Piney not to "chatter." But when Mr. Oakhurst returned from a weary search for the trail, he heard the sound of happy laughter echoed from the rocks. He stopped in some

alarm, and his thoughts first naturally reverted to the whiskey, which he had prudently cachéd. "And yet it don't somehow sound like whiskey," said the gambler. It was not until he caught sight of the blazing fire through the still blinding storm, and the group around it, that he settled to the conviction that it was "square fun."

Whether Mr. Oakhurst had cachéd his cards with the whiskey as something debarred the free access of the community, I cannot say. It was certain that, in Mother Shipton's words, he "didn't say 'cards' once" during that evening. Haply the time was beguiled by an accordion, produced somewhat ostentatiously by Tom Simson from his pack. Notwithstanding some difficulties attending the manipulation of this instrument, Piney Woods managed to pluck several reluctant melodies from its keys, to an accompaniment by the Innocent on a pair of bone castanets. But the crowning festivity of the evening was reached in a rude camp-meeting hymn, which the lovers, joining hands, sang with great earnestness and vociferation. I fear that a certain defiant tone and Cove-

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nanter's swing to its chorus, rather than any devotional quality, caused it speedily to infect the others, who at last joined in the refrain:—

“I'm proud to live in the service of the Lord,
And I'm bound to die in His army.”

The pines rocked, the storm eddied and whirled above the miserable group, and the flames of their altar leaped heavenward, as if in token of the vow.

At midnight the storm abated, the rolling clouds parted, and the stars glittered keenly above the sleeping camp. Mr. Oakhurst, whose professional habits had enabled him to live on the smallest possible amount of sleep, in dividing the watch with Tom Simson somehow managed to take upon himself the greater part of that duty. He excused himself to the Innocent by saying that he had “often been a week without sleep.” “Doing what?” asked Tom. “Poker!” replied Oakhurst sententiously. “When a man gets a streak of luck,—nigger-luck,—he don't get tired. The luck gives in first. Luck,” continued the gambler reflectively, “is a mighty queer thing. All you know about it for certain is that it's bound to change. And it's

finding out when it's going to change that makes you. We've had a streak of bad luck since we left Poker Flat,—you come along, and slap you get into it, too. If you can hold your cards right along you're all right. For," added the gambler, with cheerful irrelevance—

“‘I'm proud to live in the service of the Lord,
And I'm bound to die in His army.’”

The third day came, and the sun, looking through the white-curtained valley, saw the outcasts divide their slowly decreasing store of provisions for the morning meal. It was one of the peculiarities of that mountain climate that its rays diffused a kindly warmth over the wintry landscape, as if in regretful commiseration of the past. But it revealed drift on drift of snow piled high around the hut,—a hopeless, uncharted, trackless sea of white lying below the rocky shores to which the castaways still clung. Through the marvelously clear air the smoke of the pastoral village of Poker Flat rose miles away. Mother Shipton saw it, and from a remote pinnacle of her rocky fastness hurled in that direction a final malediction. It was her last vitupera-

tive attempt, and perhaps for that reason was invested with a certain degree of sublimity. It did her good, she privately informed the Duchess. "Just you go out there and cuss, and see." She then set herself to the task of amusing "the child," as she and the Duchess were pleased to call Piney. Piney was no chicken, but it was a soothing and original theory of the pair thus to account for the fact that she didn't swear and wasn't improper.

When night crept up again through the gorges, the reedy notes of the accordion rose and fell in fitful spasms and long-drawn gasps by the flickering campfire. But music failed to fill entirely the aching void left by insufficient food, and a new diversion was proposed by Piney,—story-telling. Neither Mr. Oakhurst nor his female companions caring to relate their personal experiences, this plan would have failed too, but for the Innocent. Some months before he had chanced upon a stray copy of Mr. Pope's ingenious translation of the Iliad. He now proposed to narrate the principal incidents of that poem—having thoroughly mastered the argument

and fairly forgotten the words—in the current vernacular of Sandy Bar. And so for the rest of that night the Homeric demigods again walked the earth. Trojan bully and wily Greek wrestled in the winds, and the great pines in the cañon seemed to bow to the wrath of the son of Peleus. Mr. Oakhurst listened with quiet satisfaction. Most especially was he interested in the fate of “Ash-heels,” as the Innocent persisted in denominating the “swift-footed Achilles.”

So, with small food and much of Homer and the accordion, a week passed over the heads of the outcasts. The sun again forsook them, and again from leaden skies the snowflakes were sifted over the land. Day by day closer around them drew the snowy circle, until at last they looked from their prison over drifted walls of dazzling white, that towered twenty feet above their heads. It became more and more difficult to replenish their fires, even from the fallen trees beside them, now half hidden in the drifts. And yet no one complained. The lovers turned from the dreary prospect and looked into each other's eyes, and were happy. Mr. Oakhurst

settled himself coolly to the losing game before him. The Duchess, more cheerful than she had been, assumed the care of Piney. Only Mother Shipton—once the strongest of the party—seemed to sicken and fade. At midnight on the tenth day she called Oakhurst to her side. "I'm going," she said, in a voice of querulous weakness, "but don't say anything about it. Don't waken the kids. Take the bundle from under my head, and open it." Mr. Oakhurst did so. It contained Mother Shipton's rations for the last week, untouched. "Give 'em to the child," she said, pointing to the sleeping Piney. "You've starved yourself," said the gambler. "That's what they call it," said the woman querulously, as she lay down again, and, turning her face to the wall, passed quietly away.

The accordion and the bones were put aside that day, and Homer was forgotten. When the body of Mother Shipton had been committed to the snow, Mr. Oakhurst took the Innocent aside, and showed him a pair of snow-shoes, which he had fashioned from the old pack-saddle. "There's one chance in a hundred to save her yet," he said, pointing

to Piney; "but it's there," he added, pointing toward Poker Flat. "If you can reach there in two days she's safe." "And you?" asked Tom Simson. "I'll stay here," was the curt reply.

The lovers parted with a long embrace. "You are not going, too?" said the Duchess, as she saw Mr. Oakhurst apparently waiting to accompany him. "As far as the cañon," he replied. He turned suddenly and kissed the Duchess, leaving her pallid face aflame, and her trembling limbs rigid with amazement.

Night came, but not Mr. Oakhurst. It brought the storm again and the whirling snow. Then the Duchess, feeding the fire, found that some one had quietly piled beside the hut enough fuel to last a few days longer. The tears rose to her eyes, but she hid them from Piney.

The women slept but little. In the morning, looking into each other's faces, they read their fate. Neither spoke, but Piney, accepting the position of the stronger, drew near and placed her arm around the Duchess's waist. They kept this attitude for the rest of

the day. That night the storm reached its greatest fury, and, rending asunder the protecting vines, invaded the very hut.

Toward morning they found themselves unable to feed the fire, which gradually died away. As the embers slowly blackened, the Duchess crept closer to Piney, and broke the silence of many hours: "Piney, can you pray?" "No, dear," said Piney simply. The Duchess, without knowing exactly why, felt relieved, and, putting her head upon Piney's shoulder, spoke no more. And so reclining, the younger and purer pillowing the head of her soiled sister upon her virgin breast, they fell asleep.

The wind lulled as if it feared to waken them. Feathery drifts of snow, shaken from the long pine boughs, flew like white winged birds, and settled about them as they slept. The moon through the rifted clouds looked down upon what had been the camp. But all human stain, all trace of earthly travail, was hidden beneath the spotless mantle mercifully flung from above.

They slept all that day and the next, nor did they waken when voices and footsteps

broke the silence of the camp. And when pitying fingers brushed the snow from their wan faces, you could scarcely have told from the equal peace that dwelt upon them which was she that had sinned. Even the law of Poker Flat recognized this, and turned away, leaving them still locked in each other's arms.

But at the head of the gulch, on one of the largest pine-trees, they found the deuce of clubs pinned to the bark with a bowie-knife. It bore the following, written in pencil in a firm hand:—

†

BENEATH THIS TREE

LIES THE BODY

OF

JOHN OAKHURST

WHO STRUCK A STREAK OF BAD LUCK

ON THE 23^D OF NOVEMBER, 1850

AND

HANDED IN HIS CHECKS

ON THE 7TH DECEMBER, 1850

†

And pulseless and cold, with a Derringer by his side and a bullet in his heart, though still

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calm as in life, beneath the snow lay he who was at once the strongest and yet the weakest of the outcasts of Poker Flat.

TENNESSEE'S PARTNER



TENNESSEE'S PARTNER

I DO NOT think that we ever knew his real name. Our ignorance of it certainly never gave us any social inconvenience, for at Sandy Bar in 1854 most men were christened anew. Sometimes these appellatives were derived from some distinctiveness of dress, as in the case of "Dungaree Jack"; or from some peculiarity of habit, as shown in "Saleratus Bill," so called from an undue proportion of that chemical in his daily bread; or from some unlucky slip, as exhibited in "The Iron Pirate," a mild, inoffensive man, who earned that baleful title by his unfortunate mispronunciation of the term "iron pyrites." Perhaps this may have been the beginning of a rude heraldry; but I am constrained to think

that it was because a man's real name in that day rested solely upon his own unsupported statement. "Call yourself Clifford, do you?" said Boston, addressing a timid newcomer with infinite scorn; "hell is full of such Cliffords!" He then introduced the unfortunate man, whose name happened to be really Clifford, as "Jaybird Charley,"—an unhallowed inspiration of the moment that clung to him ever after.

But to return to Tennessee's Partner, whom we never knew by any other than this relative title. That he had ever existed as a separate and distinct individuality we only learned later. It seems that in 1853 he left Poker Flat to go to San Francisco, ostensibly to procure a wife. He never got any farther than Stockton. At that place he was attracted by a young person who waited upon the table at the hotel where he took his meals. One morning he said something to her which caused her to smile not unkindly, to somewhat coquetishly break a plate of toast over his upturned, serious, simple face, and to retreat to the kitchen. He followed her, and emerged a few moments later, covered with more toast

and victory. That day week they were married by a justice of the peace, and returned to Poker Flat. I am aware that something more might be made of this episode, but I prefer to tell it as it was current at Sandy Bar,—in the gulches and bar-rooms,—where all sentiment was modified by a strong sense of humor.

Of their married felicity but little is known, perhaps for the reason that Tennessee, then living with his partner, one day took occasion to say something to the bride on his own account, at which, it is said, she smiled not unkindly and chastely retreated,—this time as far as Marysville, where Tennessee followed her, and where they went to housekeeping without the aid of a justice of the peace. Tennessee's Partner took the loss of his wife simply and seriously, as was his fashion. But to everybody's surprise, when Tennessee one day returned from Marysville, without his partner's wife,—she having smiled and retreated with somebody else,—Tennessee's Partner was the first man to shake his hand and greet him with affection. The boys who had gathered in the

cañon to see the shooting were naturally indignant. Their indignation might have found vent in sarcasm but for a certain look in Tennessee's Partner's eye that indicated a lack of humorous appreciation. In fact, he was a grave man, with a steady application to practical detail which was unpleasant in a difficulty.

Meanwhile a popular feeling against Tennessee had grown up on the Bar. He was known to be a gambler; he was suspected to be a thief. In these suspicions Tennessee's Partner was equally compromised; his continued intimacy with Tennessee after the affair above quoted could only be accounted for on the hypothesis of a copartnership of crime. At last Tennessee's guilt became flagrant. One day he overtook a stranger on his way to Red Dog. The stranger afterward related that Tennessee beguiled the time with interesting anecdote and reminiscence, but illogically concluded the interview in the following words: "And now, young man, I'll trouble you for your knife, your pistols, and your money. You see your weppings might get you into trouble at Red

Dog, and your money's a temptation to the evilly disposed. I think you said your address was San Francisco. I shall endeavor to call." It may be stated here that Tennessee had a fine flow of humor, which no business pre-occupation could wholly subdue.

This exploit was his last. Red Dog and Sandy Bar made common cause against the highwayman. Tennessee was hunted in very much the same fashion as his prototype, the grizzly. As the toils closed around him, he made a desperate dash through the Bar, emptying his revolver at the crowd before the Arcade Saloon, and so on up Grizzly Cañon; but at its farther extremity he was stopped by a small man on a gray horse. The men looked at each other a moment in silence. Both were fearless, both self-possessed and independent, and both types of a civilization that in the seventeenth century would have been called heroic, but in the nineteenth simply "reckless." "What have you got there?—I call," said Tennessee quietly. "Two bowers and an ace," said the stranger as quietly, showing two revolvers and a bowie-knife. "That takes me," returned

Tennessee; and, with this gambler's epigram, he threw away his useless pistol and rode back with his captor.

It was a warm night. The cool breeze which usually sprang up with the going down of the sun behind the chaparral-crested mountain was that evening withheld from Sandy Bar. The little cañon was stifling with heated resinous odors, and the decaying driftwood on the Bar sent forth faint sickening exhalations. The feverishness of day and its fierce passions still filled the camp. Lights moved restlessly along the bank of the river, striking no answering reflection from its tawny current. Against the blackness of the pines the windows of the old loft above the express-office stood out staringly bright; and through their curtainless panes the loungers below could see the forms of those who were even then deciding the fate of Tennessee. And above all this, etched on the dark firmament, rose the Sierra, remote and passionless, crowned with remoter passionless stars.

The trial of Tennessee was conducted as fairly as was consistent with a judge and jury who felt themselves to some extent obliged

to justify, in their verdict, the previous irregularities of arrest and indictment. The law of Sandy Bar was implacable, but not vengeful. The excitement and personal feeling of the chase were over; with Tennessee safe in their hands, they were ready to listen patiently to any defense, which they were already satisfied was insufficient. There being no doubt in their own minds, they were willing to give the prisoner the benefit of any that might exist. Secure in the hypothesis that he ought to be hanged on general principles, they indulged him with more latitude of defense than his reckless hardihood seemed to ask. The Judge appeared to be more anxious than the prisoner, who, otherwise unconcerned, evidently took a grim pleasure in the responsibility he had created. "I don't take any hand in this yer game," had been his invariable but good-humored reply to all questions. The Judge—who was also his captor—for a moment vaguely regretted that he had not shot him "on sight" that morning, but presently dismissed this human weakness as unworthy of the judicial mind. Nevertheless, when there was a tap at the door, and it was said

that Tennessee's Partner was there on behalf of the prisoner, he was admitted at once without question. Perhaps the younger members of the jury, to whom the proceedings were becoming irksomely thoughtful, hailed him as a relief.

For he was not, certainly, an imposing figure. Short and stout, with a square face, sunburned into a preternatural redness, clad in a loose duck "jumper" and trousers streaked and splashed with red soil, his aspect under any circumstances would have been quaint, and was now even ridiculous. As he stooped to deposit at his feet a heavy carpetbag he was carrying, it became obvious, from partially developed legends and inscriptions, that the material with which his trousers had been patched had been originally intended for a less ambitious covering. Yet he advanced with great gravity, and after shaking the hand of each person in the room with labored cordiality, he wiped his serious perplexed face on a red bandanna handkerchief, a shade lighter than his complexion, laid his powerful hand upon the table to steady himself, and thus addressed the Judge:—

“I was passin’ by,” he began, by way of apology, “and I thought I’d just step in and see how things was gittin’ on with Tennessee thar,—my pardner. It’s a hot night. I disremember any sich weather before on the Bar.”

He paused a moment, but nobody volunteering any other meteorological recollection, he again had recourse to his pocket-handkerchief, and for some moments mopped his face diligently.

“Have you anything to say on behalf of the prisoner?” said the Judge finally.

“Thet’s it,” said Tennessee’s Partner, in a tone of relief. “I come yar as Tennessee’s pardner,—knowing him nigh on four year, off and on, wet and dry, in luck and out o’ luck. His ways ain’t aller my ways, but thar ain’t any p’int in that young man, thar ain’t any liveliness as he’s been up to, as I don’t know. And you sez to me, sez you,—confidential-like, and between man and man,—sez you, ‘Do you know anything in his behalf?’ and I sez to you, sez I,—confidential-like, as between man and man,—‘What should a man know of his pardner?’”

“Is this all you have to say?” asked the Judge impatiently, feeling, perhaps, that a dangerous sympathy of humor was beginning to humanize the court.

“Thet’s so,” continued Tennessee’s Partner. “It ain’t for me to say anything agin’ him. And now, what’s the case? Here’s Tennessee wants money, wants it bad, and does n’t like to ask it of his old pardner. Well, what does Tennessee do? He lays for a stranger, and he fetches that stranger; and you lays for *him*, and you fetches *him*; and the honors is easy. And I put it to you, bein’ a fa’r-minded man, and to you, gentlemen all, as fa’r-minded men, ef this is n’t so.”

“Prisoner,” said the Judge, interrupting, “have you any questions to ask this man?”

“No! no!” continued Tennessee’s Partner hastily. “I play this yer hand alone. To come down to the bed-rock, it’s just this: Tennessee, thar, has played it pretty rough and expensive-like on a stranger, and on this yer camp. And now, what’s the fair thing? Some would say more, some would say less. Here’s seventeen hundred dollars in coarse gold and a watch,—it’s about all my pile,—

and call it square!" And before a hand could be raised to prevent him, he had emptied the contents of the carpetbag upon the table.

For a moment his life was in jeopardy. One or two men sprang to their feet, several hands groped for hidden weapons, and a suggestion to "throw him from the window" was only overridden by a gesture from the Judge. Tennessee laughed. And apparently oblivious of the excitement, Tennessee's Partner improved the opportunity to mop his face again with his handkerchief.

When order was restored, and the man was made to understand, by the use of forcible figures and rhetoric, that Tennessee's offense could not be condoned by money, his face took a more serious and sanguinary hue, and those who were nearest to him noticed that his rough hand trembled slightly on the table. He hesitated a moment as he slowly returned the gold to the carpetbag, as if he had not yet entirely caught the elevated sense of justice which swayed the tribunal, and was perplexed with the belief that he had not offered enough. Then he turned to the Judge, and saying, "This yer is a lone hand, played

alone, and without my pardner," he bowed to the jury and was about to withdraw, when the Judge called him back:—

"If you have anything to say to Tennessee, you had better say it now."

For the first time that evening the eyes of the prisoner and his strange advocate met. Tennessee smiled, showed his white teeth, and saying, "Euchred, old man!" held out his hand. Tennessee's Partner took it in his own, and saying, "I just dropped in as I was passin' to see how things was gettin' on," let the hand passively fall, and adding that "it was a warm night," again mopped his face with his handkerchief, and without another word withdrew.

The two men never again met each other alive. For the unparalleled insult of a bribe offered to Judge Lynch—who, whether bigoted, weak, or narrow, was at least incorruptible—firmly fixed in the mind of that mythical personage any wavering determination of Tennessee's fate; and at the break of day he was marched, closely guarded, to meet it at the top of Marley's Hill.

How he met it, how cool he was, how he

refused to say anything, how perfect were the arrangements of the committee, were all duly reported, with the addition of a warning moral and example to all future evil-doers, in the "Red Dog Clarion," by its editor, who was present, and to whose vigorous English I cheerfully refer the reader. But the beauty of that midsummer morning, the blessed amity of earth and air and sky, the awakened life of the free woods and hills, the joyous renewal and promise of Nature, and above all, the infinite serenity that thrilled through each, was not reported, as not being a part of the social lesson. And yet, when the weak and foolish deed was done, and a life, with its possibilities and responsibilities, had passed out of the misshapen thing that dangled between earth and sky, the birds sang, the flowers bloomed, the sun shone, as cheerily as before; and possibly the "Red Dog Clarion" was right.

Tennessee's Partner was not in the group that surrounded the ominous tree. But as they turned to disperse, attention was drawn to the singular appearance of a motionless donkey-cart halted at the side of the road.

As they approached, they at once recognized the venerable "Jenny" and the two-wheeled cart as the property of Tennessee's Partner, used by him in carrying dirt from his claim; and a few paces distant the owner of the equipage himself, sitting under a buckeye-tree, wiping the perspiration from his glowing face. In answer to an inquiry, he said he had come for the body of the "diseased," "if it was all the same to the committee." He did n't wish to "hurry anything"; he could "wait." He was not working that day; and when the gentlemen were done with the "diseased," he would take him. "Ef thar is any present," he added, in his simple, serious way, "as would care to jine in the fun'l, they kin come." Perhaps it was from a sense of humor, which I have already intimated was a feature of Sandy Bar,—perhaps it was from something even better than that, but two-thirds of the loungers accepted the invitation at once.

It was noon when the body of Tennessee was delivered into the hands of his partner. As the cart drew up to the fatal tree, we noticed that it contained a rough oblong box,—apparently made from a section of sluic-

ing,—and half filled with bark and the tassels of pine. The cart was further decorated with slips of willow and made fragrant with buck-eye-blossoms. When the body was deposited in the box, Tennessee's Partner drew over it a piece of tarred canvas, and gravely mounting the narrow seat in front, with his feet upon the shafts, urged the little donkey forward. The equipage moved slowly on, at that decorous pace which was habitual with Jenny even under less solemn circumstances. The men—half curiously, half jestingly, but all good-humoredly—strolled along beside the cart, some in advance, some a little in the rear of the homely catafalque. But whether from the narrowing of the road or some present sense of decorum, as the cart passed on, the company fell to the rear in couples, keeping step, and otherwise assuming the external show of a formal procession. Jack Folsbee, who had at the outset played a funeral march in dumb show upon an imaginary trombone, desisted from a lack of sympathy and appreciation,—not having, perhaps, your true humorist's capacity to be content with the enjoyment of his own fun.

The way led through Grizzly Cañon, by this time clothed in funereal drapery and shadows. The redwoods, burying their moc-casined feet in the red soil, stood in Indian file along the track, trailing an uncouth benedic-tion from their bending boughs upon the pass-ing bier. A hare, surprised into helpless inac-tivity, sat upright and pulsating in the ferns by the roadside as the cortège went by. Squir-rels hastened to gain a secure outlook from higher boughs; and the blue-jays, spreading their wings, fluttered before them like out-riders, until the outskirts of Sandy Bar were reached, and the solitary cabin of Tennes-see's Partner.

Viewed under more favorable circum-stances, it would not have been a cheerful place. The unpicturesque site, the rude and unlovely outlines, the unsavory details, which distinguish the nest-building of the Califor-nia miner, were all here with the dreariness of decay superadded. A few paces from the cabin there was a rough enclosure, which, in the brief days of Tennessee's Partner's matrimonial felicity, had been used as a garden, but was now overgrown with fern.

TENNESSEE'S PARTNER

As we approached it, we were surprised to find that what we had taken for a recent attempt at cultivation was the broken soil about an open grave.

The cart was halted before the enclosure, and rejecting the offers of assistance with the same air of simple self-reliance he had displayed throughout, Tennessee's Partner lifted the rough coffin on his back, and deposited it unaided within the shallow grave. He then nailed down the board which served as a lid, and mounting the little mound of earth beside it, took off his hat and slowly mopped his face with his handkerchief. This the crowd felt was a preliminary to speech, and they disposed themselves variously on stumps and boulders, and sat expectant.

"When a man," began Tennessee's Partner slowly, "has been running free all day, what's the natural thing for him to do? Why, to come home. And if he ain't in a condition to go home, what can his best friend do? Why, bring him home. And here's Tennessee has been running free, and we brings him home from his wandering." He

paused and picked up a fragment of quartz, rubbed it thoughtfully on his sleeve, and went on: "It ain't the first time that I've packed him on my back, as you see'd me now. It ain't the first time that I brought him to this yer cabin when he could n't help himself; it ain't the first time that I and Jinny have waited for him on yon hill, and picked him up and so fetched him home, when he could n't speak and did n't know me. And now that it's the last time, why"—he paused and rubbed the quartz gently on his sleeve—"you see it's sort of rough on his pardner. And now, gentlemen," he added abruptly, picking up his long-handled shovel, "the fun'l's over; and my thanks, and Tennessee's thanks, to you for your trouble."

Resisting any proffers of assistance, he began to fill in the grave, turning his back upon the crowd, that after a few moments' hesitation gradually withdrew. As they crossed the little ridge that hid Sandy Bar from view, some, looking back, thought they could see Tennessee's Partner, his work done, sitting upon the grave, his shovel between his knees, and his face buried in his

red bandanna handkerchief. But it was argued by others that you could n't tell his face from his handkerchief at that distance, and this point remained undecided.

In the reaction that followed the feverish excitement of that day, Tennessee's Partner was not forgotten. A secret investigation had cleared him of any complicity in Tennessee's guilt, and left only a suspicion of his general sanity. Sandy Bar made a point of calling on him, and proffering various uncouth but well-meant kindnesses. But from that day his rude health and great strength seemed visibly to decline; and when the rainy season fairly set in, and the tiny grass-blades were beginning to peep from the rocky mound above Tennessee's grave, he took to his bed.

One night, when the pines beside the cabin were swaying in the storm and trailing their slender fingers over the roof, and the roar and rush of the swollen river were heard below, Tennessee's Partner lifted his head from the pillow, saying, "It is time to go for Tennessee; I must put Jinny in the cart;" and would have risen from his bed but for

the restraint of his attendant. Struggling, he still pursued his singular fancy: "There, now, steady, Jinny,—steady, old girl. How dark it is! Look out for the ruts,—and look out for him, too, old gal. Sometimes, you know, when he's blind drunk, he drops down right in the trail. Keep on straight up to the pine on the top of the hill. Thar! I told you so!—thar he is,—coming this way, too,—all by himself, sober, and his face a-shining. Tennessee! Pardner!"

And so they met.

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